

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

IVAN ALLAN ESRINE,  
a/k/a, "Allan Esrine,"

Defendant.

COUNT ONE

(Commercial Bribery)

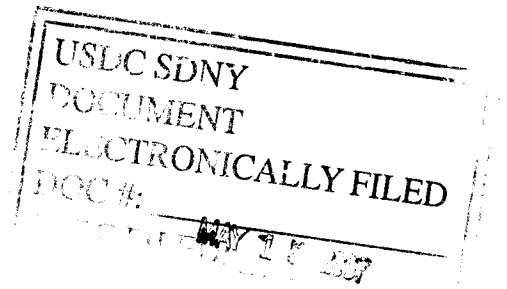
The United States Attorney charges:

BACKGROUND

1. At all times relevant to this Information, Corporation-A was a Nevada corporation. Corporation-A's common stock was publicly-traded on the Over-The-Counter Bulletin Board (the "OTC Bulletin Board")- an electronic quotation service regulated by the National Association of Securities Dealers (the "NASD") that displays electronically throughout the United States real-time quotes, last-sale prices, and volume information in certain equity securities.

2. At all times relevant to this Information, Broker Dealer-A was a securities broker-dealer that was registered with the SEC and a member of the NASD. Broker Dealer-A maintained its headquarters in Seattle, Washington and operated a branch office in New York, New York. Among its other businesses, Broker

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Judge McMahon

Dealer-A offered securities brokerage services to retail customers throughout the United States.

3. According to documents filed with the SEC, at all times relevant to this Information, IVAN ALLAN ESRINE, a/k/a, "Allan Esrine," the defendant: (a) served as the Chief Financial Officer, Vice President, and Director of Corporation-A; and (b) owned approximately 200,000 shares of the Corporation-A's common stock.

4. At all times relevant to this Information, a co-conspirator not charged herein ("CC-1") was a securities broker and a registered representative licensed by NASD. From at least in or about May 2003 through in or about January 2004, CC-1 was employed as a securities broker at a branch office of Broker Dealer-A.

#### **THE CONDUCT**

5. Between on or about August 12, 2003, through and including on or about November 17, 2003, IVAN ALLAN ESRINE, a/k/a, "Allan Esrine," the defendant, made a series of payments to CC-1, in the form of shares of Corporation-A's common stock, for the purpose of causing CC-1 to generate purchases of Corporation-A's stock on behalf of customers of Broker Dealer-A.

6. IVAN ALLAN ESRINE, a/k/a, "Allan Esrine," the defendant, using interstate wire transmissions, transferred approximately the following amounts of shares of Corporation-A's

stock to a brokerage account at Broker Dealer-A identified by CC-1 on or about the following dates:

Approximate Date	Approximate Amount of Corporation-A's Shares	Approximate Value of Shares
August 12, 2003	20,000	\$13,200
September 3, 2003	20,000	\$19,000
November 6, 2003	10,000	\$9,600
November 17, 2003	5,000	\$4,750



7. Neither Broker Dealer-A nor one and more clients of Broker Dealer-A who purchased Corporation-A's stock during the period between on or about August 12, 2003 and November 17, 2003, consented to the payments made by IVAN ALLAN ESRINE, a/k/a, "Allan Esrine," the defendant, to CC-1.

#### **STATUTORY ALLEGATION**

8. From in or about August 2003 through in or about November 2003, in the Southern District of New York and elsewhere, IVAN ALLAN ESRINE, a/k/a "Allan Esrine," unlawfully, willfully, and knowingly traveled in interstate and foreign commerce and used the mails and facilities in interstate and foreign commerce, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, specifically (a) commercial bribery, in violation of New York State Penal Law Sections 180.00 and 180.03; and (b) commercial bribe receiving, in violation of New York State Penal Law Sections 180.08 and

180.05; and thereafter performed and attempted to perform an act to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, all in violation of Title 18, United States Code, Section 1952(a)(3).

(Title 18, United States Code,  
Sections 1952(a)(3) and 2)

  
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MICHAEL J. GARCIA 

Form No. USA-33s-274 (Ed. 9-25-58)

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18 U.S.C. §§ 1952(a)(3) and 2

MICHAEL J. GARCIA  
United States Attorney.

5-15-07

WJ

Def. pres. with attorney Mr. Becker

AUSA Mr. Liff Court Reporter Pres.

Interpreter pres ☒ pres. Def. withdraws plea of not guilty & enters a plea  
of guilty to count(s) 1 PSI Ordered. Sentence date Not set

Bail cont.

Mag. Judge Pitman recommends Judge McMahon

accept the guilty plea.

Pitman  
U.S.M.J.